Entered -10-17-01 sb **CL 01L0656** - GWENDOLYN BURNS

CLAIM OF:

CLARK D. LANDERS 80 Wakefield Drive, NE Atlanta, Georgia 30309

02- 2-0781

For vehicular damages sustained when a limb fell from a tree and struck an automobile on September 3, 2001 at 80 Wakefield Drive, NE.

THIS ADVERSED REPORT IS APPROVED

CONSENT AGENCIA

Robert N. Godfrey

DEPUTY CITY ATTORNEY

ADVERSED BY MAY 2 0

MAY 2 0 2002

ADVERSE REPORT
COMM: Left Safety
DATE: STATE
CHAIR: HE STATE
HE ST

Haloh Turling





RHONDA DAUPHIN JOHNSON, CMC MUNICIPAL CLERK

May 31, 2002

55 TRINITY AVENUE, S.W. SECOND FLOOR, EAST SUITE 2700 ATLANTA, GEORGIA 30335 (404) 330-6033 FAX (404) 658-6103

Clark D. Landers 80 Wakefield Dr., NE Atlanta, GA 30309

02-R-0781

Dear Mr. Landers:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 20, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0656	Date: May 2, 2002
Claimant /Victim CLARK D. LANDERS	
BY: (Atty) (Ins. Co.)	
Address: 80 Wakefield Drive, NE, Atlanta, Georgia	1 30309
	3,225.40 Bodily Injury \$
Date of Notice: 9/24/01 Method: Writ	tten Proper Y Improper
Conforms to Notice: O.C.G.A. §36-33-5	X Ante Litem (6 Mo.) X ee: 80 Wakefield Drive
Date of Occurrence 9/3/01 Place	e: 80 Wakefield Drive
Department PARKS, RECREATION & CULTURAL	L AFFAIRS Division Parks
Employee involved Discip	plinary Action:
NATURE OF CLAIM. Chiman all and the thin	adicad contribute as an experience of the contribution of the cont
	rked vehicle sustained damages when it was struck by a limb
	of way. An investigation determined that the Parks Division at this location on September 6, 1996 and April 1998. No
	at this location on September 6, 1996 and April 1998. No
problem prior to claimant's incident.	
problem prior to claimant's medent.	
INVESTIGATION:	
Statements: City employee Claimant	Others Written Oral
Pictures Diagrams Reports: Police	e Dept Report X Other
Traffic citations issued: City Driver	Claimant Driver
Citation disposition: City Driver	Claimant Driver
-	
BASIS OF RECOMMENDATION:	
Function: Governmental X	Ministerial
Improper Notice More than Six Months	MinisterialOtherDamages reasonableotedCompromise settlement
City not involved Offer rejec	ted Compromise settlement
Repair/replacement by Ins. Co.	Repair/replacement by City Forces
Claimant Negligent City Negligent	JointClaim Abandoned
	Danie at Ciller and military
	Respectfully submitted,
	Miller doling Police
	INVESTIGATOR - CWENDOL VN BURNS
	INVESTIGATION - QWENDOETH BOKINS
RECOMMENDATION:	
Pay \$ Adverse X Account c	harged: 1A012J012P012H01
Claims Manager: / Mulli Chill	Concur/date 05-03-02
Committee Action:	Council Action
FORM 23-61	

Atlanta City Council

Regular Session

CONSENT I PGS. 1-15: Except 02-0-0852; 02-R-0729

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y	Smith	Y	Archibong	Y	Moore	Y	Mitchell
Y	Starnes	Y	Fauver	NV	Martin	Y	Norwood
NV	Young	Y	Shook	Y	Maddox	В	Willis
Y	Winslow	Y	Muller	Y	Boazman	NV	Woolard

CONSENT AGENDA MAY 20, 2002

TEMS ADOPTED ON THE CONSENT AGENDA	TTEME ADOD		TTEMS ADVEDSED ON THE
02-R-0813 02-R-0754 02-R-0763 02-R-0807 02-R-0754 02-R-0763 02-R-0805 02-R-0755 02-R-0765 02-R-0805 02-R-0756 02-R-0766 02-R-0504 02-R-0757 02-R-0766 02-R-0708 02-R-0758 02-R-0768 02-R-0708 02-R-0760 02-R-0769 02-R-0707 02-R-0761 02-R-0770 02-R-0822 02-R-0771 02-R-0881 02-R-0772 02-R-0798 02-R-0773 02-R-0799 02-R-0774 02-R-0790 02-R-0774 02-R-0791 02-R-0775 02-R-0792 02-R-0774 02-R-0793 02-R-0776 02-R-0794 02-R-0776 02-R-0795 02-R-0776 02-R-0780 02-R-0777 02-R-0781 02-R-0778 02-R-0782 02-R-0778 02-R-0783 02-R-0781 02-R-0783 02-R-0782 02-R-0784 02-R-0783 02-R-0784 02-R-0784			ITEMS ADVERSED ON THE
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